

61

**COMBINED AMENDMENT & PETITION FOR EXTENSION OF  
TIME UNDER 37 CFR 1.136(a) (Small Entity)**

AF/16004  
Docket No.  
10981AZ

In Re Application Of: Peter A. Koopman, et al. Corres. and Mail

**BOX AF**

Serial No.  
09/910,087

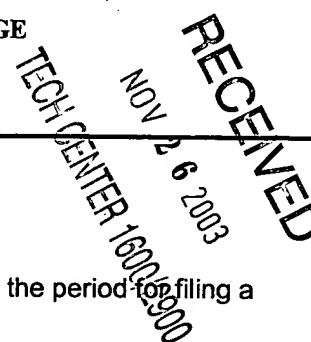
Filing Date  
July 20, 2001

Examiner  
D. Nguyen

Group Art Unit  
1632

Invention:

SOX-9 GENE AND PROTEIN AND USE IN THE REGENERATION OF BONE OR CARTILAGE



TO THE COMMISSIONER FOR PATENTS:

This is a combined amendment and petition under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of July 16, 2003 in the above-identified application.  
Date

The requested extension is as follows (check time period desired):

☒ One month    ☐ Two months    ☐ Three months    ☐ Four months    ☐ Five months

from: October 16, 2003

Date

until:

November 16, 2003

Date

A verified statement of small entity status as a small entity under 37 CFR 1.27:

- ☐ is enclosed.  
☒ has already been filed in this application.

The fee for the amendment and extension of time has been calculated as shown below:

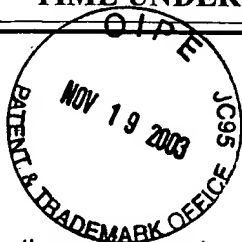
**CLAIMS AS AMENDED**

|   | CLAIMS REMAINING<br>AFTER AMENDMENT | HIGHEST #<br>PREV. PAID FOR | NUMBER EXTRA<br>CLAIMS PRESENT | RATE      | ADDITIONAL<br>FEE |
|---|-------------------------------------|-----------------------------|--------------------------------|-----------|-------------------|
| TOTAL CLAIMS                                  | 4 -                                 | 20 =                        | 0                              | x \$9.00  | \$0.00            |
| INDEP. CLAIMS                                 | 2 -                                 | 6 =                         | 0                              | x \$43.00 | \$0.00            |
| FEE FOR AMENDMENT                             |                                     |                             |                                |           | \$0.00            |
| FEE FOR EXTENSION OF TIME                     |                                     |                             |                                |           | \$55.00           |
| TOTAL FEE FOR AMENDMENT AND EXTENSION OF TIME |                                     |                             |                                |           | \$55.00           |

11/21/2003 JADD01 00000002 193886 09910087  
01 FC:2251 55.00 DA

**COMBINED AMENDMENT & PETITION FOR EXTENSION OF  
TIME UNDER 37 CFR 1.136(a) (Small Entity)**

Docket No.  
**10981AZ**



The fee for the amendment and extension of time is to be paid as follows:

- ☐ A check in the amount of **\$0.00** for the amendment and extension of time is enclosed.
- ☒ Please charge Deposit Account No. **19-3886/RCT** in the amount of **\$55.00**
- ☒ The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. **19-3886/RCT**
- ☒ Any additional filing fees required under 37 C.F.R. 1.16.
- ☒ Any patent application processing fees under 37 CFR 1.17.
- ☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. **19-3886/RCT**

  
Signature

Dated: November 17, 2003

**Frank S. DiGiglio**  
Registration No. 31,346  
Scully, Scott, Murphy & Presser  
400 Garden City Plaza  
Garden City, New York 11530  
(516) 742-4343

I certify that this document and fee is being deposited  
on 11/17/03 with the U.S. Postal Service  
as first class mail under 37 C.F.R. 1.8 and is addressed to  
the Commissioner for Patents, P.O. Box 1450, Alexandria,  
VA 22313-1450.

  
Signature

**Frank S. DiGiglio**

Typed or Printed Name

cc: FSD/XZ:ab



**RESPONSE UNDER 37 C.F.R.  
§1.116 EXPEDITED PROCEDURE  
EXAMINING GROUP 1632**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicants:** Peter A. Koopman, et al.

**Examiner:** D. Nguyen

**Serial No.:** 09/910,087

**Art Unit:** 1632

**Filed:** July 20, 2001

**Docket:** 10981AZ

**For:** SOX-9 GENE AND PROTEIN AND  
USE IN THE REGENERATION OF  
BONE OR CARTILAGE

**Dated:** November 17, 2003

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

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**AMENDMENT UNDER 37 C.F.R. § 1.116**

Sir:

In response to the Final Action dated July 16, 2003, and in accordance with the provisions of 37 C.F.R. § 1.116, Applicants respectfully request entry of the following amendment in the above-identified case.

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**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA on November 17, 2003.

Dated: November 17, 2003

  
Frank S. DiGiglio